

1
2
3
4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT SEATTLE

7 MOISES T. LEMUS RAMIREZ,

8 Petitioner,

9 v.

10 A. NEIL CLARK,

11 Respondent.

CASE NO. C08-496-MJP-JPD

ORDER DISMISSING AS MOOT
PETITION FOR WRIT OF HABEAS
CORPUS

12
13 This matter comes before the Court on the Report and Recommendation of the
14 Honorable James P. Donohue, United States Magistrate Judge, in which Magistrate Judge
15 Donahue recommended that Mr. Ramirez' petition for habeas corpus be granted, Respondent's
16 motion to dismiss be denied, and that the Court order the Seattle Immigration Court to provide
17 Petitioner with an individualized bond hearing within thirty (30) days. (Dkt. No. 15.)
18 Magistrate Judge Donahue recommended that the Court order the Immigration Judge to
19 determine whether and under what conditions petitioner may be released from custody pending
20 petitioner's Petition for Review in the Ninth Circuit Court of Appeal. In lieu of objections,
21 Respondent filed a "Notice of Administrative Action Mooting Petitioner's Request for Relief."
22 (Dkt. No. 16.) Respondent attaches a Custody Determination and Release Notification from
23 U.S. Immigration and Customs Enforcement, dated July 16, 2008, indicating that Mr. Ramirez
24 will be released from custody pending his removal. The documents indicate that Mr. Ramirez
25

1 will be required to wear an ankle bracelet electronic monitoring device during his release.

2 Based on this new information, the Court ORDERS as follows:

3 (1) Petitioner's Petition for Writ of Habeas Corpus (Dkt. 6) and Respondent's
4 Motion to Dismiss (Dkt. 10) are DENIED as MOOT;

5 (2) The Clerk shall send a copy of this Order to the parties, and to the Honorable
6 James P. Donohue.

7 DATED this 22nd day of July, 2008.

8 

9 Marsha J. Pechman
10 United States District Judge
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25